

EXHIBIT F

Case No. 21-CV-0811-TSZ

(Motion to Substitute Expert Witness)

Subject: RE: [EXTERNAL]RE: Bungie Inc v. Aimjunkies.com et al -- W.D. WA Case No. 2:21-cv-00811-TSZ -- Request for telephonic hearing pursuant to W.D.WA LR 26(i)

From: "Marcelo, Christian W. (SEA)" <CMarcelo@perkinscoie.com>

Date: 6/7/23, 5:34 PM

To: Tyler Lichter <Tyler_Lichter@wawd.uscourts.gov>

CC: "Rava, William C. (SEA)" <WRava@perkinscoie.com>, "Dini, Jacob (SEA)" <JDini@perkinscoie.com>, Phil Mann <phil@mannlawgroup.com>, Chy Eaton <chy@newmanlaw.com>, Alexis Brewer <alexis@newmanlaw.com>, John Du Wors <John@newmanlaw.com>

Mr. Lichter,

Apologies for the dual email but the below email was sent before Bungie could review or weigh in on. Bungie provides its summary below.

Through his counsel, Mr. Kraemer—who was recently identified as an expert witness for Defendants—raised concerns with two topics in Bungie's document subpoena to Mr. Kraemer. Those topics were in regard to Mr. Kraemer's employment at and expertise derived while working for his employer, Honeywell, and there were concerns regarding a potential subpoena being sent to Honeywell. Bungie included these requests because Defendants identified Mr. Kraemer's experience over the past 20+ years at Honeywell as a basis for his expertise. Dkt. 137 P. 4. Mr. Kraemer asserted that he believed the requests were intended to intimidate him from providing expert testimony in this matter. The accusation is entirely baseless and false.

From the parties' conference, we understand the only item to be at issue is whether Bungie will provide notice to Mr. Kraemer if it decides to serve a subpoena to Honeywell. Bungie agreed that if it determines a subpoena to Honeywell is required, it will provide notice to Mr. Kraemer at the same time notice is provided to Defendants under Fed. R. Civ. P. 45(a)(4). As to any confidentiality concerns, if any documents are confidential, Mr. Kraemer may designate them under the Stipulated Protective Order (Dkt. No. 60).

We believe this should resolve the matter.

Respectfully,

Christian

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From: John Du Wors <John@newmanlaw.com>

Sent: Wednesday, June 7, 2023 5:02 PM

To: Tyler Lichter <Tyler_Lichter@wawd.uscourts.gov>; Marcelo, Christian W. (SEA) <CMarcelo@perkinscoie.com>

Cc: Rava, William C. (SEA) <WRava@perkinscoie.com>; Dini, Jacob (SEA) <JDini@perkinscoie.com>; Phil Mann <phil@mannlawgroup.com>; Chy Eaton <chy@newmanlaw.com>; Alexis Brewer <alexis@newmanlaw.com>

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Dear Mr. Lichter,

Mr. Kraemer has not yet resolved his discovery dispute with Bungie, Inc.. Accordingly, Mr. Kraemer respectfully requests a telephone conference with either you or Judge Zilly tomorrow, if of course that is convenient for the Court's